

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nathan Christopher Braun,

Case No. 23-CV-1784 (JMB/DLM)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

Jail administrator-Captain Mark
Maslankowski, Lt. Kellen Boerger, Lt.
Sean Haney, Sgt. Dave Wenderski, Sgt.
Hoxter, Sgt. Polak, Sgt. Brixius, Sgt.
Megan Lahr, Shift Supervisor #2712,
Shift Supervisor #2711, Sgt. #2705,
Unnamed and Unnumbered Shift
Supervisor, Shift Supervisor #2709, Ofc.
Knick, Ofc. Long, Ofc. Stossel, SORT for
the Date of 7/12/2023, Ofc. Crawford,
Ofc. Huisman, Ofc. Vanravensway, Ofc.
Budgett, Ofc. Karnes, Ofc. Watry, SORT
for the Date of 5/1/2023, Ofc. Stephany,
Ofc. Giese, Ofc. Bienusa, Ofc. Kruger,
Ofc. C. Brown, Unknown Ofc. Standing
Outside of Cell at 0500 on the Date of
7/13/2023, and Ofc. Hogie,

Defendants.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge Douglas L. Micko dated February 22, 2024. (Doc. No. 25.) The R&R recommends that Plaintiff Nathan Christopher Braun's Second Amendment Complaint under 42 U.S.C. § 1983 (Doc. No. 17) be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. (*See* Doc. No. 25.) Braun

did not file any objections to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 25) is ADOPTED;
2. This matter is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 9, 2024

/s/ Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court